

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/22/2016

BOARD MEMBERS PRESENT: Paul J Weston - Chair
Gail L King
Linda A Chatburn
Deborah A Karren

BOARD MEMBERS ABSENT: Gayla Nickel

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Mitchell Toryanski, Legal Counsel
Deborah Sexton, Management Assistant
Cherie Simpson, Management Assistant
Erin Anderson, Technical Records Specialist I
Deon L'Abbe, Technical Records Specialist I

OTHERS PRESENT: Jason Chase, Elements Massage
Megan Huston, Applicant
Randy Young, Massage Envy
Becky Olinger, AMTA, Idaho President

The meeting was called to order at 8:32 AM MDT by Paul J Weston.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board would be reviewing the final draft of the proposed laws and rules later in the meeting.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$240, 265.48 as of 7/31/2016.

[INVESTIGATIVE REPORT](#)

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Karren made a motion to approve the Bureau's recommendation and authorize closure in case I-MAS-2017-2. It was seconded by Ms. King. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to-do list. No action was taken.

NEW BUSINESS

PROPOSED LAW AND RULE

The Board discussed the fact that the National Certification Examination for Therapeutic Massage and Bodywork (NCBTMB) is no longer offered through the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB).

Ms. King made a motion to direct Mr. Toryanski draft proposed language to update Rule 305 to reflect that just the Massage & Bodywork Licensing Examination (MBLEx) is accepted by the Board for licensure as of 2/1/2015. It was seconded by Ms. Chatburn. Motion carried.

Mr. Toryanski reported that Ms. Cory, Mr. Ellsworth and he met with Matt Freeman, executive director of the State Board of Education, and they had discussed a process for the Board to approve curriculum for Massage Therapy schools while the SBOE will continue to register the schools. The Board discussed the approach and reviewed draft legislation to allow the Board to review curriculum standards. The Board also directed Mr. Toryanski to make the language consistent with regard to massage therapy schools.

The Board discussed Idaho Code 54-4006(8) regarding an increase in the honorarium. Ms. King made a motion to direct Mr. Toryanski to draft a proposal that would change the language from “n” to “p.” It was seconded by Ms. Chatburn. Motion carried.

The Board discussed background checks. Ms. Chatburn made a motion to draft language giving the Board authority to do background checks for exam applications, endorsement applications and for the first renewal of those licensed prior to July 1, 2017. It was seconded by Ms. King. Motion carried.

The Board reviewed Washington’s laws and rules. No further action was taken.

The Board reviewed the frequently asked questions page. Ms. King made a motion to request Mr. Weston and Ms. Hall work together to update the FAQs page. It was seconded by Ms. Chatburn. Motion carried.

The Board discussed the upcoming Federation of State Massage Therapy Boards (FSTMB) conference. Ms. King made a motion for pay expenses for one Board member and one staff member to attend the FSMTB conference. It was seconded by Ms. Karren. Motion carried.

The Board reviewed the 2016 resolutions from the FSTMB Policy Committee. Ms. Karren made a motion to direct Ms. Chatburn as the delegate to vote based on the Board's position but to have the flexibility to modify that vote if additional information is presented at the meeting which she feels would have changed the Board's position. It was seconded by Ms. King. Motion carried.

The Board reviewed an FSTMB survey. Ms. Chatburn and Ms. Hall will complete the survey.

The Board discussed the process of reviewing continuing education waiver requests. Ms. King made a motion to authorize the Chairman to review the requests. It was seconded by Ms. Chatburn. Motion carried.

EXECUTIVE SESSION

Ms. Chatburn made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. King. The vote was: Mr. Weston, aye; Ms. King, aye; Ms. Chatburn, aye; and Ms. Karren, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Chatburn. The vote was: Mr. Weston, aye; Ms. King, aye; Ms. Chatburn, aye; and Ms. Karren, aye. Motion carried.

CONTINUING EDUCATION WAIVER REQUEST

Ms. Chatburn made a motion to deny a waiver request to applicant #901132838 and request one hour in ethics. It was seconded by Ms. King. Motion carried.

EXECUTIVE SESSION

Ms. Chatburn made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Karren. The vote was: Mr. Weston, aye; Ms. King, aye; Ms. Chatburn, aye; and Ms. Karren, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Karren. The vote was: Mr. Weston, aye; Ms. King, aye; Ms. Chatburn, aye; and Ms. Karren, aye. Motion carried.

APPLICATIONS

Ms. King made a motion to approve the following for licensure:

MAS-2946	CANDANCE MURDOCK
MAS-2961	JENNIFER STONE
MAS-2951	GALEN FLETCHER
MAS-2965	LAURA LOUGHMILLER
MAS-2950	MANDI DENNING
MAS-2930	MALINDA WARREN
MAS-2889	ALLISON KNECHT
MAS-2955	DIANE CREA
MAS-2953	DANIEL BUTSICK
MAS-2957	ABIGAIL EMMONS
MAS-2972	KEVIN EARL
MAS-2926	LESLIE MARKIEL
MAS-2960	REBECCA EBERLEIN
MAS-2943	VERONICA ROBY
MAS-2949	JAN LAKE
MAS-2956	KATIE CLIFTON
MAS-2962	TIERZAH LESTERBERG
MAS-2958	JUDY DROWN
MAS-2959	CHRISTINE LIVINGSTON
MAS-2952	VICTOR PAEZ
MAS-2940	SHUIBO HE

It was seconded by Ms. Chatburn. Motion carried.

Ms. Chatburn made a motion to approve the following applicants for licensure pending receipt of additional information and Board Chair review:

#901147127

It was seconded by Ms. Karren. Motion carried.

Ms. Chatburn made a motion to table the following application for further information:

#901146621

It was seconded by Ms. Karren. Motion carried.

Ms. Chatburn made a motion to approve the following for licensure pending receipt of additional information:

#901147150

#901146333
#901146648
#901147146
#901147004
#901147101

It was seconded by Ms. King. Motion carried.

Ms. Karren made a motion to approve the following applicants for licensure pending receipt of additional information and Board Chair review:

#901147099
#901146349
#901145658
#901147071
#901146330
#901147070
#901146454
#901146491
#901146511
#901146543

It was seconded by Ms. Chatburn. Motion carried.

CE COURSES

Ms. King made a motion to deny the following CE course due to the course not being germane to massage therapy:

Your Colon and You

It was seconded by Ms. Karren. Motion carried.

Ms. King made a motion to deny the following CE course due to the course not being germane to massage therapy:

Module 1: Fundamentals of Thai

It was seconded by Ms. Chatburn. Motion carried.

Ms. Chatburn made a motion to approve the following CE courses:

PNMT for the Upper Extremity	19 hours
PNMT for the Shoulder	8 hours
Body Reading the Myofascial Meridians 1	1 hour
Reading the Myofascial Meridians 2	1 hour

Myofascial Techniques: Scalenes and the Neck	1 hour
Yes, You can Market your Practice!	1 hour

It was seconded by Ms. King. Motion carried.

CE AUDITS AND CE REINSTATEMENTS

The Board members reviewed and approved the CE audit and CE for reinstatement.

PROPOSED LAWS AND RULES

The Board reviewed the draft of the proposed rules with the Board which includes the following:

- Rule 250.02 – Reducing the original license fee from \$75 to \$65
- Rule 250.03 – Reducing the annual renewal fee from \$75 to \$65
- Rule 250.05 – Adding a temporary license
- Rule 250.06 – Adding a provisional permit
- Rule 300.04 – Deleting
- Rule 305.01.b. – Updating the examination
- Rule 320 – Adding temporary license
- Rule 330 – Adding provisional permit

Ms. Chatburn made a motion to approve the final version and submit the proposal to the Governor's Office. It was seconded by Ms. Karren. Motion carried.

The Board reviewed the draft language regarding the Board approving school curriculum.

Ms. Chatburn made a motion to approve the following law changes and submit the proposal to the Governor's Office:

54-4002(3) – Change from massage therapy establishment to massage therapy school.

54-4002(4) Add – and whose curriculum standards are reviewed by the Idaho state board of massage therapy and approved pursuant to rule.

54-4007(9) – Add – Review and approve the curriculum of massage therapy educational programs that seek registration by the state board of education pursuant to chapter 24, title 33, Idaho Code.

54-4007(13) – Add – An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

54-4009(4) – Add therapy educational to massage program so it reads massage therapy educational program

It was seconded by Ms. King. Motion carried.

Ms. Karren made a motion to approve the following law changes and submit them to the Governor's Office:

54-4009(6) Add – Has obtained and submitted a satisfactory fingerprint-based criminal history check of the Idaho Central criminal database and the federal bureau of investigation criminal history database.

54-4010 Add – and submission of a satisfactory fingerprint-based criminal history check of the Idaho central criminal database and the federal bureau of investigation criminal history database.

54-4011 Add – And reinstatement

54-4011(1) – Update language to include may be reinstated within five years of expiration.

54-4011(2) Add- If the board granted any person a license without the satisfactory fingerprint-based criminal history check as provided in sections 54-4009 or 54-4010, Idaho Code, such licensee shall obtain and submit the required fingerprint-based criminal history check to the board on or before the licensee's first renewal or first reinstatement on or after July 1, 2017.

It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the following law change and submit it to the Governor's Office:

54-4006(8) Change from (n) to (p).

It was seconded by Ms. Chatburn. Motion carried.

NEXT MEETING was scheduled for 10/24/2016 8:30 AM MDT.

ADJOURNMENT

Ms. Chatburn made a motion to adjourn the meeting at 4:21 PM MDT. It was seconded by Ms. King. Motion carried.

Paul J Weston, Chair

Gail L King

Linda A Chatburn

Deborah A Karren

Gayla Nickel

Tana Cory, Bureau Chief